

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 4-3-03.

I. DISPUTE

Whether there should be reimbursement for CPT codes 99080-73.

II. FINDINGS

1. The respondent paid \$0.00 based upon "F – The work status report (TWCC-73) was not properly completed or was submitted in excess of the filing requirements, therefore, reimbursement is denied per Rule 129.5."
2. Total amount in dispute per TWCC-60 is \$15.00.
3. The insurance carrier submitted a timely response to the request for medical dispute resolution.
4. Rule 129.5(d) states, "The doctor shall file the Work Status Report:
 - (1) after the initial examination of the employee, regardless of the employee's work status;
 - (2) when the employee experiences a change in work status or a substantial change in activity restrictions; and
 - (3) on the schedule requested by the insurance carrier (carrier), its agent, or the employer requesting the report through its carrier, which shall not to exceed one report every two weeks and which shall be based upon the doctor's scheduled appointments with the employee."

III. RATIONALE

DOS	CPT CODE	Billed	Paid	EOB Denial Code	MARS (Maximum Allowable Reimbursement)	Reference	Rationale
8-15-02	99080-73	\$15.00	\$0.00	F	\$15.00	Rule 129.5(d)	The 8-15-02 TWCC-73 indicates that the claimant had not returned to work as of 8-15-02; therefore, the filing of this report does not comply with Rule 129.5(d).

IV. DECISION

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor **is not** entitled to reimbursement for CPT codes 99080-73.

The above Findings and Decision are hereby issued this 3rd day of June 2004.

Elizabeth Pickle
Medical Dispute Resolution Officer
Medical Review Division